

REMARKS

In an Office Action dated January 12, 2007, the Examiner rejected all claims under 35 U.S.C. 102(e) or 35 U.S.C. 103(a) as being anticipated by or unpatentable over U.S. Patent 6,714,636 (Baiyor). Applicant respectfully disagrees with the grounds for this rejection.

Baiyor presents arrangements for enhancing the capability of normal flexible alerting. The specific paragraphs of Baiyor, column 5, lines 4-23, used to reject Applicant's claims are cited below.

An incoming call to the pilot DN is processed by a mobile switch, which then directs the incoming call to the multiple different mobile or wireline secondary DNs of the user's predefined alerting group, creating multiple different outgoing communication legs to these differing and independent directory numbers. Whichever outgoing call leg is first to answer will receive the call and be connected to the calling party, with the other call legs released (i.e., dropped or torn down, with their corresponding alerting ceased).

Such flexible alerting or other multi-leg communication may be useful, for example, in businesses involving sales, repairs, or dispatching services. For example, a customer may call a single primary DN, which will then alert mobile telephones at all associated secondary directory numbers within a flexible alerting group for a repair service. The first member to answer an outgoing call leg will be connected to and receive the customer call, and the answering member, for example, may then directly proceed to the customer location to perform the requested repairs.

But these claims miss the essence of Applicant's invention. As stated in Applicant's Summary of the Invention,

Applicant has carefully analyzed the advantages and failings of flexible alerting and has recognized inventively that while the called party can specify the flexible alerting arrangement, there is no equivalent of flexible alerting for callers. A flexible alerting arrangement for callers can be useful for cases in which a caller has special information, e.g., an unlisted number of one of the destinations, for a flexible alerting list that is not provided by the called party.

In accordance with Applicant's invention, a calling party provides to a switch serving that calling party a list of called numbers corresponding to a special number assigned to the caller. When the caller dials this special number all telephone numbers on that list are alerted. The alerting takes place in one of two arrangements: in accordance with a first arrangement all the numbers are

alerted simultaneously and the call is completed to the first station that answers.  
[Emphasis added]

In the normal call flexible alerting arrangement a receiving party specifies the various telephone numbers which should be alerted in accordance with the principles of flexible alerting. As stated, for example, in Baiyor column 2, lines 28-33:

More specifically, the ANSI-41 specification does not provide for any significant control, by a subscriber, concerning if and when the subscriber and other members of the flexible alerting group are to receive one or more of the outgoing call legs, at any particular time and in any particular location.  
[Emphasis added]

This discussion of the general character of flexible alerting clearly indicates that the called party (or parties) control the selection and sequence of the parties that are to be alerted. There is no need in the discussion of the enhanced flexible alerting of Baiyor to specify and elaborate on this called party control since it is well understood and assumed that the feature is controlled by the called party. There is no suggestion or calling party control in Baiyor.

In contrast, Applicant has taught and claimed an arrangement wherein a calling party, usually with special knowledge of the list of numbers to be tried (including perhaps one or more unlisted numbers) for his or her flexible alerting list. The result is that the flexible alerting list is customized for a particular caller and not only to suit the convenience of called party which may be called by many different callers. Applicant respectfully submits that there is no suggestion in Baiyor of this type of facility. Accordingly, Applicant respectfully submits that the subject matter of all claims as amended should be held allowable over the cited prior art. Applicant therefore respectfully requests that the Examiner reconsider the grounds for the rejection, allow all claims as amended, and pass the application to issue.

If the Examiner feels that a voice or fax contact would help to advance the

prosecution of this application, he is invited to contact Applicant's attorney at telephone number 630 469-3575.

Respectfully submitted

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